

REMARKS

Reconsideration in view of the foregoing Amendments and the following remarks is respectfully requested. Moreover, the Applicant has reviewed the Office Action of April 28, 2003, and submits that this Amendment is responsive to all points raised therein.

Rejection Under 35 U.S.C. §102(e)

Claims 1 through 20 were rejected under 35 U.S.C. § 102(e) as being anticipated by Shorrock et al., U.S. Patent No. 6,283,065 (the '065 patent). The Examiner asserts that Shorrock teaches the invention as claimed, including an animal collar that identifies a pet and allows a person to retrieve information on that pet from a database.

Shorrock generally teaches a method of locating lost pets. The disclosed method includes prompting pet owners to provide information relating to their pets and contact information for the pet owners. The pet information and the contact information are stored in a computer-readable memory accessible by a host computer. When a person finds a pet, he or she is prompted to access the host computer via a communications network and to enter information relating to the lost pet. The host computer will compare the lost pet information entered by the person who found the pet to the pet information provided by the pet owners in an attempt to find a match. If a match is found, the person who found the lost pet is provided with the contact information for the owner of the lost pet.

Shorrock specifically teaches the use of a collar and stud device that may include rabies tag information. Included on the collar is an identification number created by the organization issuing the collar. As such, '065 discloses a stud and collar invention with a unique identification code. Inclusion of the rabies tag information is optional.

The current application claims a method of locating lost pets that utilizes information located on a pet's rabies tag. When a pet is issued a new rabies tag, the pet's owner or veterinarian submits the data from the rabies tag, in addition to pet and contact information, to a computer-readable memory accessible by a host computer. A person that finds a lost pet accesses the host computer and enters information relating to the lost pet, including the rabies tag data. Information regarding the lost pet is compared to pet information and rabies tag data that has been provided by the veterinarian or pet owner. If a match is found, the person finding the lost pet is provided with contact information for the owner of the pet. In particular, rabies tag information is compared.

Independent claims 1, 9, and 15 have been amended to specifically incorporate the use of the rabies tag and related information. Additionally, the claims are structured to use the process of issuing a rabies tag as part of the method for entering data into the database. These specific steps are not disclosed or taught in the '065 patent. The '065 further requires a specific collar and stud device. The invention claimed herein uses a rabies tag issued by a veterinarian. As such, these are different devices. More importantly, at Column 1, lines 27-40, the '065 patent teaches away from using a rabies tag, as recited in claim 1. This paragraph argues against the use of a rabies tag. Conversely, use of the rabies tag is specifically claimed in the pending claims. This means that each and every element of the pending claims is not taught or disclosed in the '065 reference. For this reason, it is asserted that the claims are not anticipated and the § 102 rejection is overcome.

It should further be noted that the independent claims were amended so that the entry of rabies tag information is used to locate a lost pet. The person who finds a pet enters the rabies

tag information, which is compared to rabies tag entries in the database. The '065 patent does not teach or suggest comparing rabies tag information. As such, the present claims are not made obvious by the prior art. More importantly, the pending claims are not anticipated.

Even though an obviousness rejection under U.S.C. §103 has not been issued, the following arguments address obviousness, as well as anticipation.

The '065 patent discloses the placement of a rabies tag identification number on a stud for pet collars in order to eliminate the need for a separate rabies tag. The '065 patent also discloses the placement of a unique identification number on the collar stud to facilitate location of lost pets, whereby the unique identification number is placed in a computerized database. A person that finds a lost pet would contact the database service provider, with the unique identification number used to identify the owner of the lost pet. The '065 patent does not teach the use of a rabies tag number to specifically identify lost pets. Conversely, the pending claims teach the use of rabies tag information.

The '065 patent discloses that the pet collar stud can replace a "tag" as a means of conveying the information typically provided by a regulatory tag (see column 3). In addition, the '065 patent discloses the creation of a unique identification code for identifying lost pets that is separate and different from the rabies tag identification number. In essence, Shorrock treats the display of rabies information on the stud and the placement of an identification code on the stud as distinct and unrelated uses for the invention. The '065 patent does not suggest that a rabies tag identification number can be used as a unique identification number to identify the lost pet. Conversely, the pending claims specifically include the use of a rabies tag.

The '065 patent discloses the use of a computerized database to store an identification code and other information about an animal. The '065 additionally teaches that a person that finds a lost pet can contact the database service provider via a toll-free number or a web site address. Once the database service provider receives information regarding the lost pet, authorized personnel will identify the owner so that the lost pet can be returned. The '065 does not teach allowing a person who found the pet to access the database. In Claim 1, it is stated that a person who finds the pet can enter the information.

The '065 patent specifically indicates that "authorized personnel" will use submitted information to identify the owner of a lost pet (see column 8). The term "authorized personnel" implies that a person, instead of a computer program, will determine data matches. In contrast, the current application claims a computer program that will search for matches and provide owner contact information to those that find the lost pets.

Should the Examiner have any questions or comments as to the form, content, or entry of this paper, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

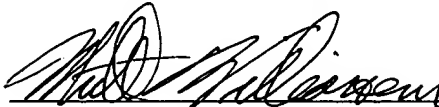
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New Attorney Docket No. 48862
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Allowance of all pending claims, claims 1-20, is respectfully requested.

Respectfully submitted,

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A handwritten signature in dark ink, appearing to read "Michael A. Williamson", is written over a horizontal line.

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